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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM ROBERT DIXON,

Plaintiff,

vs.

ROBERT LEGRANDE, *et al.*

Defendants.

3:13-cv-00586-RCJ-VPC

ORDER

This prisoner civil rights action comes before the Court on plaintiff's motion (#29) for an extension of time to file an amended complaint and pauper application.

The Court will grant the requested sixty-day extension, subject to the following caveats.

First, the screening order states the applicable law and identifies the deficiencies in the claims in the original complaint. Plaintiff thus does not need to conduct extensive legal research to allege facts correcting the deficiencies in the claims, to the extent possible.

Second, neither petitioner's Ohio state conviction nor his prior federal habeas proceedings in Ohio and Nevada will be collaterally reviewed in this civil rights action. See #28, at 4. There thus is no occasion for further extension of time in that regard. Plaintiff, who was convicted in Ohio, cannot obtain an order in this civil rights action in Nevada authorizing the pursuit of a second habeas petition. The only procedural vehicle for a convicted inmate to seek to pursue a second habeas petition after an earlier petition was denied on the merits is via an application to the court of appeals in the circuit in question pursuant to 28 U.S.C. § 2244. If the court of appeals denies an application to pursue a second or successive petition, that then is the end of the matter. This Court already has rejected plaintiff's attempt to pursue

1 a federal habeas action in Nevada seeking to relitigate the denial of federal habeas relief by
2 the federal district court in Ohio. See 3:13-cv-00150-HDM-VPC. Further frivolous efforts to
3 relitigate in this Court the denial of federal habeas relief will result in dismissal of the action
4 and a directive to the Clerk to designate plaintiff fully as a restricted filer, in all respects. The
5 Court will not keep repeating the same point in multiple orders in multiple different actions
6 without consequence. Plaintiff cannot challenge either the Ohio judgment of conviction or the
7 prior decisions in his prior federal habeas proceedings in another civil action in this federal
8 court in Nevada.

9 IT THEREFORE IS ORDERED that plaintiff's motion (#29) for an extension of time is
10 GRANTED, such that plaintiff shall have **sixty (60) days** from entry of this order within which
11 to mail both an amended complaint and a properly-completed pauper application to the Clerk
12 for filing. No further requests for extension of time will be considered except in the most
13 extraordinary of circumstances. The filing of a second motion for extension of time that does
14 not present such extraordinary circumstances thus will not preclude entry of a final judgment
15 dismissing this action without further advance notice and without further delay following the
16 motion.

17 DATED: September 3, 2014.

20 VALERIE P. COOKE
United States Magistrate Judge

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